

JOSEPH L. CHAIREZ, Bar No. 98698
EMILY R. FRANK, Bar No. 232939
BAKER & HOSTETLER LLP
600 Anton Boulevard, Suite 900
Costa Mesa, CA 92626-7221
Telephone: 714.754.6600
Facsimile: 714.754.6611
Email: jchairez@bakerlaw.com

Attorneys for Defendant
YELLOW TRANSPORTATION, INC.

Steven W. Moore, Bar No. 23320
BAKER & HOSTETLER LLP
303 East 17th Avenue, Suite 1100
Denver, CO 80203-1264
Telephone: 303.861.0600
Facsimile: 303.861.7805
Email: smoore@bakerlaw.com

Attorneys for Defendant
YELLOW TRANSPORTATION, INC.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

JASVEER SINGH; JESUS MIER; and
TOMMIE PRUITT,

Plaintiffs,

v.

YELLOW TRANSPORTATION, INC.
DBA YELLOW FREIGHT;
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, LOCAL UNION #439,
DANIEL DRAKE, ROGER PRICE,
FRANK VELLA and DOES 1-20,

Defendants.

ELBERT JEFFERY,

Plaintiff,

v.

YELLOW TRANSPORTATION, INC.
DBA YELLOW FREIGHT; and DOES 1
through 20,

Case No. 2:05-CV-00521-RRB-DAD

**STIPULATION AND ORDER TO RESET
TRIAL AND PRETRIAL DATES**

Judge: Honorable Ralph R. Beistline

Case No. 2:05-cv-02306-RRB-EFB

Defendants.

WHEREAS, this is a multi-party lawsuit by plaintiffs, two former and two current dockworkers at defendant Yellow Transportation, Inc.'s Tracy, California, dock.

WHEREAS, the actions *Singh v. Yellow Transportation, Inc.*, Case No. 2:05-CV-00521-RRB-DAD, Eastern District of California, and *Jeffery v. Yellow Transportation, Inc.*, Case No. 2:05-cv-02306-RRB-EFB, Eastern District of California, were recently consolidated.

WHEREAS, certain counsel for the parties in this matter are unavailable for the current trial date of January 22, 2008 set in these consolidated matters.

WHEREAS, the parties have discussed dates on which they are all available for trial.

WHEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES through their counsel of record that the Court may enter an order that:

1. The trial and pretrial dates in the above-referenced consolidated matters shall be reset as follows:

- A. Deadline for pretrial statement: March 10, 2008;
- B. Pretrial conference: March 31, 2008 at 4:00 p.m.;
- C. Trial: May 5, 2008 at 8:30 a.m.

///

STIPULATED AND AGREED TO BY:

Dated: November 19, 2007

LAW OFFICES OF JOHN M.
RIESTENBERG

/s/ John M. Riestenberg
(as authorized on November 19, 2007)

John M. Riestenberg
Attorney for Plaintiffs

Dated: November 19, 2007

BAKER & HOSTETLER LLP

/s/ Joseph L. Chairez

Joseph L. Chairez
Steven W. Moore
Attorneys for Defendant
Yellow Transportation, Inc.

Dated: November 19, 2007

LAW OFFICES OF JOSEPH W. SCALIA

/s/ Joseph W. Scalia
(as authorized on November 19, 2007)

Joseph W. Scalia
Attorneys for Defendant
Daniel Drake

ORDER

The Court having considered the stipulation of the parties for the resetting of the trial and pretrial dates and finding that the stipulation and request are in the interests of justice,

IT IS THEREFORE ORDERED that:

1. The trial and pretrial dates in the above-referenced consolidated matters shall be reset as follows:

- A. Deadline for pretrial statement: March 10, 2008;
- B. Pretrial conference: March 31, 2008 at 4:00 p.m.;
- C. Trial: May 5, 2008 at 8:30 a.m.

Dated: November 20, 2007

/s/ Ralph R. Beistline

UNITED STATES DISTRICT COURT
THE HONORABLE RALPH R. BEISTLINE

BAKER & HOSTETLER LLP
ATTORNEYS AT LAW
COSTA MESA

PROOF OF SERVICE

I, Laraine Cook, declare:

I am employed in Orange County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 600 Anton Boulevard, Suite 900, Costa Mesa, California 92626-7221. On November 19, 2007, I served a copy of the within document(s):

**STIPULATION AND [PROPOSED] ORDER TO RESET TRIAL
AND PRETRIAL DATES**

•• by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. and the transmission was reported as complete and without error.

• by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Costa Mesa, California addressed as set forth below.

•• by placing the document(s) listed above in a sealed _____ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a _____ agent for delivery.

See attached Service List.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on November 19, 2007, at Costa Mesa, California.

/s/

Laraine Cook

SERVICE LIST

John M. Riestenberg *Attorney for Plaintiffs*
Law Offices of John M. Riestenberg Jasveer Singh, Jesus Mier, Tommie
455 Capitol Mall, Suite 410 Pruitt, and Elbert Jeffery
Sacramento, CA 95814
Phone: (916)443-6300
Email: jmriestenberg@sbcglobal.net

Whitney F. Washburn *Attorneys for Defendant*
Law Offices of Whitney F. Washburn Daniel Drake
11341 Gold Express Drive, Suite 110
Gold River, CA 95670
Phone: (916) 638-8800
Fax: (916) 638-7068
Email: wfwashburn@wfwashburn.com

Joseph W. Scalia *Attorneys for Defendant*
Law Offices of Joseph W. Scalia Daniel Drake
11341 Gold Express Drive, Suite 110
Gold River, CA 95670
Phone: (916) 638-8083
Fax: (916) 631-8188
Email: jwscaliam@sbcglobal.net

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